

# **Labor History: The Alberta Nurses' Strike**

*By Ed Leavy*

There are picket lines, and then there are picket lines in Alberta, Canada in January. When the United Nurses of Alberta voted to go out on strike on January 25, 1988, they walked out into the coldest winter in Alberta in memory. Pictures from the strike show people looking like arctic explorers with signs. Frostbite was not their only fear, however. The government had reacted to UNA strikes in 1977, 1980, and 1982 by making laws making healthcare strikes in the province illegal. Workers faced termination and arrest, and the union faced massive fines.

During the late fall of 1987, the management team that ran three hospitals in Alberta approached the union and demanded massive givebacks in wages and benefits. Confident that the new no-strike laws gave management the leverage that they previously lacked, they sought to roll back much of what the nurses had won over the previous decade. The UNA had a long-standing negotiating policy: no rollbacks, no concessions, no regressions, and no takeaways. On January 22, 1988 the nurses took a vote on a single question: "Are you willing to go on strike for an improved offer?" Though the employers convinced the Alberta Labor Relations Board that the vote was in violation of the new LRB rules and province law, the UNA held the vote anyway. The nurses voted overwhelmingly to strike, and at 7:30 in the morning three days later they walked out.

A flurry of court activity followed. The employer went to the LRB and asked for a cease and desist ruling on the strike, then went to the court and filed charges for "threatening to strike" and "causing a strike." Alberta Attorney General Elaine McCoy charged the UNA with criminal contempt of court. Before the 19 day strike ended, 75 separate charges would be filed against the union. On the morning of February 9, UNA paid a \$250,000 for criminal contempt of court; that afternoon, the Attorney General filed a second charge and ultimately received \$150,000 more. The employer also announced that on February 10<sup>th</sup>, termination notices to the over 14,000 striking nurses would go out.

Meanwhile, negotiations continued. With the nurses on the picket line, the demands for concessions and rollbacks were dropped. Late on the night of February 10, UNA and the employers seemed to have an agreement, but the employers refused to withdraw their application to hold back union dues, and no settlement was reached. The issue was finally resolved, and on February 13 the nurses ratified the agreement and returned to work. It was far less than an overwhelming victory for the nurses, whose primary accomplishment was to fight off concessions. Additionally, UNA paid over \$425,000 in fines (adjusting for inflation. It would be nearly \$860,000 today). The real gains in the strike would be felt in the 1990 negotiations, which saw significant growth in wages and benefits. By defying the employer and the law, they not only held what they had earned, but pushed forward.

The strike was back in the Canadian news this past spring. Bill 45 was passed in 2013 that would have continued the prohibition on healthcare workers from striking and extended the prohibition to other public-sector unions. UNA filed a claim against Bill 45 and the LRB codes that mirrored it, claiming they violated fundamental freedoms, including freedom of association and expression, guaranteed by the Charter. Justice Dennis Thomas ruled that prohibitions against strikes and lockouts violate the Canadian Charter of Rights and Freedoms. UNA, which has formed an Essential Service Committee to guarantee that patient care can be continued during a strike, applauded the decision as a long-overdue recognition that they were "on the right track" in 1988. The workers who braved the freezing temperature and the legal system were vindicated by their contract at the time, and by this decision in 2015.

*Information for this article came from various internet sites; the UNA website was particularly helpful. I dedicate this article to the Danbury and New Milford Techs and Therapists who are negotiating their first contract as an AFT local, and the Danbury and New Milford healthcare workers who will be having their vote to join AFT in the coming weeks.*